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Exempt Action: Proposed Regulation Agency Background Document

Agency name	DWR
Virginia Administrative Code (VAC) Chapter citation(s)	4VAC15-90
VAC Chapter title(s)	Game: Deer
Action title	May 2026 – Ch. 90
Date this document prepared	5/29/2026

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

Section 294:

The proposed amendment is to change the allowable date of release of rehabilitated deer fawns from the December 31 to the January 15 following intake, which would allow fawns to remain in rehabilitation until the close of the regular deer hunting seasons statewide.

Section 550:

The proposed amendment is to allow one special elk hunting license to be reserved for a conservation organization each license year for a period of up to five years.

Mandate and Impetus

Identify the mandate for this regulatory change, and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

Section 294:

The department has heard from concerned permitted fawn rehabilitators to extend the time period for release of rehabilitated fawns until after the conclusion of the regular deer seasons (1st Saturday in January). This time extension may allow rehabilitated fawns additional time to acclimate without ongoing, elevated deer hunting pressure typically noted at the end of the regular deer seasons. There should be limited additional risk of habituation from this extension, provided that it only extends through January 15. This proposal does not allow the extension of rehabilitation beyond January 15, even in localities which have late antlerless only deer seasons, unless the provisions of subsection C are met (written authorization from the department).

Section 550:

The proposed language change allowing an organization or cooperator to be awarded the opportunity to raffle one special elk hunting license each license year for a period of up to five years will promote a more sustainable, long-term funding mechanism for the elk program and all the work required for it, such as habitat improvement and land access. The Elk Conservation License Program is an opportunity to provide an organization with a significant incentive (special elk hunting license) for people to spend money that will be directed towards projects that help elk populations and the elk hunt itself. The previous four habitat projects executed through the Elk Conservation License Program have all been elk-focused but have improved habitat for many wildlife species. All of the elk lottery application revenue goes to the Department's general fund and not to the elk program. Therefore, maximizing the ability of this one separate elk license to generate funding that will sustain the elk program is crucial.

Currently, DWR notifies the winning organization in early May, and they must work quickly to organize a raffle and online resources for inclusion in the Department's late May announcement of the elk lottery winners. This short planning time frame does not afford sufficient opportunity to organize and maximize the profitability of a raffle package. A longer planning time frame would foster much greater opportunity to solicit donations from individuals or businesses to add value and prizes to the raffle, and thus, the overall attractiveness of the raffle to prospective participants. Further, a longer planning time frame would offer greater opportunities to effectively advertise and distribute raffle materials. Previous winning organizations have stated that given more time to solicit donations and build their raffle package, they would expect to be able to raise significantly more money to benefit elk conservation and recreation.